

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

Plaintiff,

-v-

AMERICAN SOCIETY OF COMPOSERS, AUTHORS
AND PUBLISHERS,

Defendant.
-----X

41 Civ. 1395 (DLC)

CORRECTED ORDER

DENISE COTE, District Judge:

Since entry of the Consent Decree in this case, filed March 4, 1941, 1940-1943 Trade Cases ¶ 56,104 (S.D.N.Y. 1941), there have been and will continue to be a series of applications for the setting of reasonable rates under the decree and subsequent judgments and orders that have amended and modified the decree. Each of these applications presents claims by different parties, and may involve motions, stipulations, affidavits, and hearings or trials. In order to maintain separate files and docket sheets for each matter, it is hereby

ORDERED that the following steps will be followed for those applications currently pending under the caption United States v. American Society of Composers, Authors, and Publishers,¹ 41 Civ. 1395, which are listed in the appendix to this Order:

¹ The Order of August 6, 2009 referred to the American Society of Composers, Authors, and Producers. All such typographical errors have been corrected in this Order.

- (1) The Clerk of Court shall assign a separate caption and docket number to each application;
- (2) The Clerk of Court shall waive the associated filing fees;
- (3) The Clerk of Court shall make a contemporaneous notation in the docket of United States v. American Society of Composers, Authors, and Publishers, 41 Civ. 1395, that such proceedings have been assigned separate docket numbers, setting forth for each its caption and its docket number; and
- (4) Parties shall display on all submissions the application's unique caption and docket number, as well as the designation "Related to United States v. American Society of Composers, Authors, and Publishers, 41 Civ. 1395."

IT IS FURTHER ORDERED that the following steps will be followed for new applications filed under the caption United States v. American Society of Composers, Authors, and Publishers, 41 Civ. 1395:

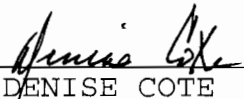
- (1) The applicant shall commence each new proceeding by a filing an application which includes a docket number assigned by the Clerk of Court, and the application's unique caption, as well as the designation "Related to

United States v. American Society of Composers, Authors, and Publishers, 41 Civ. 1395";

- (2) The applicant shall pay the associated filing fees;
- (3) The Clerk of Court shall maintain a separate file and docket sheet for each application, which shall state that it is "Related to United States v. American Society of Composers, Authors, and Publishers, 41 Civ. 1395";
- (4) The Clerk of Court shall make a contemporaneous notation in the docket of United States v. American Society of Composers, Authors, and Publishers, 41 Civ. 1395, that a new application has been filed, setting forth for each its caption and its docket number; and
- (5) Parties shall display on all submissions the application's unique caption and docket number, as well as the designation "Related to United States v. American Society of Composers, Authors, and Publishers, 41 Civ. 1395."

SO ORDERED:

Dated: New York, New York
August 7, 2009



DENISE COTE
United States District Judge

Appendix

Currently Pending Applications:

1. In re Application of THP Capstar Acquisition Corp. (now known as DMX, Inc.): application filed on July 25, 2006. [ECF Doc. # 68]
2. In re Application of MusicNet, Inc.: application filed on August 22, 2006. [ECF Doc. # 70]
3. In re Application of MobiTV, Inc.: application filed on May 5, 2008. [ECF Doc. # 144]
4. In re Application of AT&T Mobility LLC: application filed on May 5, 2008. [ECF Doc. # 145]
5. In re Application of YouTube, LLC: application filed on May 23, 2008. [ECF Doc. # 153]
6. In re Application of Cellco Partnership d/b/a Verizon Wireless: application filed on January 23, 2009. [ECF Doc. # 253]
7. In re Application of CBS Radio, Inc.: application filed on May 7, 2009. [ECF Doc. # 304]
8. In re Application of Ericsson, Inc.: application filed on May 8, 2009. [ECF Doc. # 305]
9. In re Application of Apple Computer, Inc.: application filed on June 16, 2009. [ECF Doc. # 331]